

CHART B

Business Process Outline Related to the Administration and Paperwork Requirements for FMLA Compliance

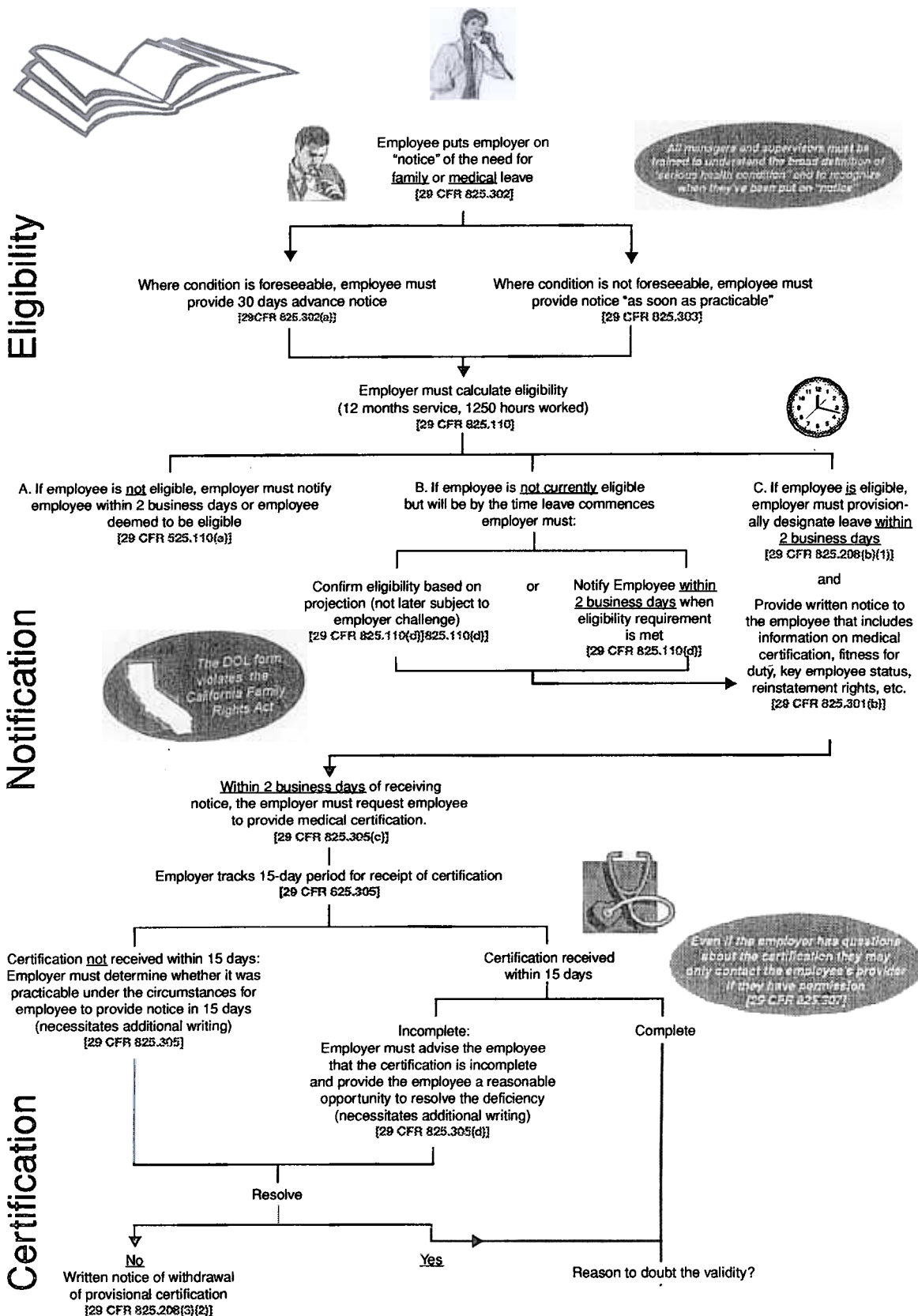
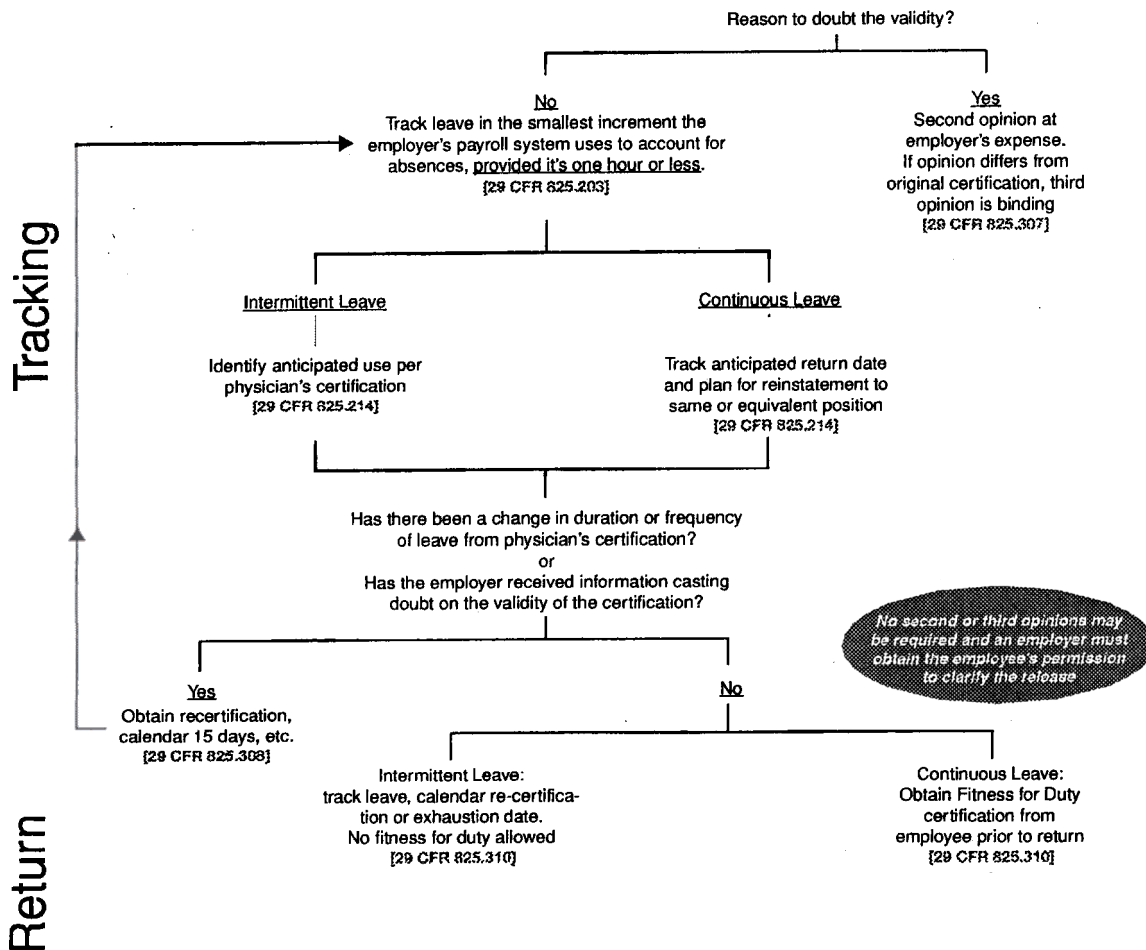


CHART B Continued



Records Retention
29 CFR 825.500 requires an employer to make, keep, and preserve records, including, but not limited to the following:

- Dates FMLA leave is taken by FMLA eligible employees
- The hours of FMLA leave taken by employees using intermittent leave
- Copies of all employee notices of leave given to the employer
- Copies of all general & specific notices given to employees as required by the regulations

If employee returns to work but has not exhausted their leave, the employer must start the process over if the employee needs time off from work for a "serious health condition"



Return employee to same or equivalent position

Notes:

- Validity of 11 different FMLA regulations has been challenged in the courts through 58 cases.
- The interplay of the ADA, FMLA and workers' comp is one of the most difficult areas of employment law.
- Opinion letters and their sometimes conflicting interpretations confuse employers and employees alike.
- Federal and State regulations often overlap and conflict.

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Testimony of Kenneth A. Buback

On Behalf of the Society for Human Resource Management